

IN THE MATTER OF

COLE ROOFING COMPANY, INC.

\* BEFORE THE MARYLAND  
\* COMMISSIONER OF  
\* LABOR AND INDUSTRY  
\* MOSH CASE NO. A5478-006-98  
\* OAH NO. 98-DLR-MOSH-41-006282

\* \* \* \* \*  
**FINAL DECISION AND ORDER**

Pursuant to the Order issued by the Maryland Court of Special Appeals, and consistent with the decision of the Maryland Court of Appeals, in its decision, *Maryland Comm'r of Labor and Industry v. Cole Roofing Co., Inc.*, 368 Md. 459 (2002), the Commissioner issues the following order:

**ORDER**

The Commissioner of Labor and Industry, on this 2 day of February, 2006, hereby VACATES the finding, with respect to Citation 1, Item No. 1, that the violation of 29 C.F.R. §1926.501(b)(10) constitutes a repeat violation.

  
Robert L. Lawson  
Commissioner of Labor and Industry